

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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ETHAN D. SMITH and JENNIFER L. DEES,

Plaintiffs,

v.

1:25-CV-199  
(MAD/DJS)

LISA FISHER, *et al.*,

Defendants.

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**DANIEL J. STEWART**  
**United States Magistrate Judge**

**ORDER**

An initial scheduling conference is set in this matter for May 13, 2025. *See* Dkt. No. 6. Plaintiffs have filed a motion to compel Defendants and their counsel to provide mandatory disclosures under Rule 26 and to confer with Plaintiffs regarding a proposed civil case management plan in advance of that conference. Dkt. No. 41.<sup>1</sup> All Defendants have now filed motions to dismiss the Complaint. Dkt. Nos. 46 & 47. In light of the filing of those motions, the Rule 16 conference set for May 13 is adjourned without date pending resolution of the motions. All deadlines under Rule 26 regarding initial disclosures and submission of a proposed schedule are also adjourned and will be re-set at a later date. Plaintiff's Motion, therefore, is denied as moot.

**ACCORDINGLY**, it is hereby

**ORDERED**, that the Motion to Compel (Dkt. No. 41) is **DENIED**; and it is further

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<sup>1</sup> Certain Defendants advise that they take no position with respect to this Motion. Dkt. No. 45.

**ORDERED**, that the Clerk of the Court serve a copy of this Order upon the parties to this action.

**SO ORDERED.**

Dated: April 8, 2025  
Albany, New York

  
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Daniel J. Stewart  
U.S. Magistrate Judge

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